

REMARKS

In the Examiner's Answer dated March 11, 2002, the Examiner (1) allowed claims 3-4, 6, and 8 and (2) rejected claims 1, 2, and 5 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,940,753 to Mallinckrodt ("Mallinckrodt") in view of U.S. Patent No. 3,836,969 to Bond et al. ("Bond"). Applicant thanks the Examiner for allowing claims 3-4, 6, and 8. By this Preliminary Amendment, Applicant cancels claims 1 and 2, without prejudice or disclaimer. Therefore, claims 3-6, and 8 are currently pending.

Rejection of claim 5

As noted, the Examiner rejected claims 1-2, and 5 under 35 U.S.C. § 103(a) as unpatentable over Mallinckrodt in view of Bond. Applicant respectfully traverses this rejection.

By this Amendment, Applicant cancels claims 1-2, without prejudice or disclaimer. Thus, the rejection of claims 1-2 is now moot.

As to claim 5, the Examiner correctly admits that Mallinckrodt fails to disclose all the features recited in claim 5 (See Examiner's Answer, page 5). However, the Examiner alleges that it would have been obvious to combine Mallinckrodt in view of Bond to arrive at the features of claim 5. The Applicant respectfully disagrees.

Claim 5 recites a satellite communication system comprising a central station, a plurality of adjacent geostationary satellites, and at least one earth station. The central station includes a large diameter directional satellite antenna to generate a first communication signal at a communication frequency. The plurality of adjacent geostationary satellites operate at a plurality of frequencies including the communication

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

frequency. The at least one earth station includes a relatively small diameter directional antenna to generate a second communication signal at the communication frequency.

The first communication signal illuminates only one of the plurality of adjacent geostationary satellites that retransmits the first communication signal to the small diameter directional satellite antenna of the at least one earth station. The second communication signal from the at least one earth station then illuminates at least two of the plurality of adjacent geostationary satellites that retransmit the second communication signal. The large diameter directional satellite antenna of the central station then receives only one of the retransmitted second communication signals.

Neither Mallinckrodt nor Bond teach such features. Mallinckrodt appears to disclose a cellular communications system. In order to place a call, a user unit transmits a signal to a satellite. The satellite then "backhauls" the signal to a satellite node control center on the ground (See Mallinckrodt, at col. 11, line 54 through col. 12, line 5). The node control center translates the signal into a voice signal and forwards the voice signal to a selected land line (See Mallinckrodt, at col. 12, lines 15-19). Therefore, Mallinckrodt discloses a node control center, which translates the signal into a voice signal and forwards the voice signal to a selected land line.

However, Mallinckrodt's node control center which translates the signal into a voice signal and forwards the voice signal to a selected land line is not the same as, for example, at least one earth station that includes a relatively small diameter directional antenna to generate a second communication signal that illuminates at least two of a plurality of adjacent geostationary satellites that retransmit the second communication

signal, as recited in claim 5. Therefore, Mallickrodt fails to disclose or teach all the features recited in claim 5.

Bond fails to cure the deficiencies of Mallinckrodt. Bond merely teaches repositioning an antenna of a single ground station antenna (See Bond col. 9, lines 35-40). A ground station with a repositioning antenna is not the same as a station that includes a relatively small diameter directional antenna to generate a second communication signal that illuminates at least two of a plurality of adjacent geostationary satellites that retransmit the second communication signal, as recited in claim 5. Accordingly, even if Mallinckrodt were properly combinable with Bond, the combination would still fail to teach or suggest all the features recited in claim 5. Reconsideration and withdrawal of the rejection to claim 5 is respectfully requested.

Revocation of Previous Power of Attorney and Grant of New Power of Attorney

Applicant concurrently files herewith a Revocation of Previous Power of Attorney and Grant of New Power of Attorney. Accordingly, please send all future correspondence concerning this application to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. at the following address:

Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of pending claims 3-6, and 8.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

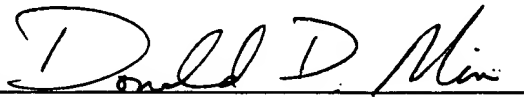
If there is any fee due in connection with the filing of this Preliminary
Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 14, 2003

By:



Donald D. Min
Reg. No. 47,796

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com